

the district court libels praying seizure and condemnation of 1,875 tins of certified aspirin tablets at Scranton, Pa., alleging that the article had been shipped in interstate commerce in various consignments, on or about February 1, May 3, and June 22, 1933, by the Sunshine Pharmaceutical Co., from New York, N.Y., and charging misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libels that the article was misbranded in that the following statements, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton) "Toothache * * * Antiseptic Gargle, Pain, Sciatica, Lumbago, Rheumatism", (tin container) "To prevent gastric disturbances."

On August 16, 1933, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21570. Misbranding of Velvetol. U. S. v. 399 Jars of Velvetol. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30753. Sample no. 42942-A.)

Examination of the drug product, Velvetol, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On July 25, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 399 jars of Velvetol at Scranton, Pa., alleging that the article had been shipped in interstate commerce on or about March 18, 1933, by the Bunny Drug Co., through the Biddle Purchasing Co., from New York, N.Y., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Velvetol * * * Relgah Laboratories, New York, N.Y."

Analysis of a sample of the article by this Department showed that it was white petrolatum.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Jar label) "Remedy for * * * Wounds * * * Will relieve * * * Sore-throat."

On August 16, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21571. Misbranding of aspirin tablets. U. S. v. 468 Tins of Ideal Aspirin Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30803. Sample no. 43346-A.)

This case involved a shipment of aspirin tablets, the label of which bore unwarranted curative and therapeutic claims.

On August 1, 1933, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 468 tins of Ideal Aspirin Tablets at West New York, N.J., alleging that the article had been shipped in interstate commerce on or about June 15, 1933, by Blackman & Blackman, Inc., from New York, N.Y., and charging misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, appearing on the carton, were false and fraudulent: "For * * * Toothache * * * Antiseptic Gargle, Rheumatism, Sciatica, Lumbago, Pain."

On September 1, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21572. Misbranding of ichthyol ointment and mentholated ointment. U. S. v. 141 Tubes of Ichthyol Ointment, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30799, 31818, 31819. Sample nos. 42956-A, 51559-A, 51560-A.)

Examination of the drug preparations involved in these cases disclosed that they contained no ingredients or combinations of ingredients capable of pro-

ducing certain curative and therapeutic effects claimed in the labeling. It was claimed in the labeling that the articles conformed to the United States Pharmacopoeia and National Formulary, whereas in neither of these authorities are ichthyol ointment or mentholated ointment recognized.

On August 1, 1933, and January 9, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 281 tubes of ichthyol ointment and 68 tubes of mentholated ointment in part at Scranton, Pa., and in part at Wilkes-Barre, Pa., alleging that the articles had been shipped in interstate commerce by the Petrolene Laboratories; that 141 tubes of the said ichthyol ointment had been shipped on or about July 7, 1933, from Brooklyn, N. Y.; and that the remainder of the ichthyol ointment and the mentholated ointment had been shipped on or about November 21, 1933, from New York, N. Y., and that the articles were misbranded in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles by this Department showed that the ichthyol ointment consisted essentially of sulphonated bitumen incorporated in petrolatum, and that the mentholated ointment consisted essentially of menthol incorporated in petrolatum.

It was alleged in the libels that the articles were misbranded in that the statement on the carton, "We guarantee each ointment to be strictly U. S. P. or N. F. and will assume responsibility on this item", was false and misleading, since neither in the United States Pharmacopoeia nor in the National Formulary are ichthyol ointment or mentholated ointment recognized. Misbranding was alleged for the further reason that the following statements, regarding the curative or therapeutic effects of the articles, were false and fraudulent: (Ichthyol ointment, tube and carton) "A remedy for eczema, acne, itch, boils, carbuncles, and kindred skin infections"; (mentholated ointment, tube and carton) "Very effective for Nerves."

On August 23, 1933, and January 30, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21573. Misbranding of Vermilax. U. S. v. 35 Bottles of Vermilax. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30781. Sample no. 42929-A.)

Examination of the drug preparation Vermilax disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On July 28, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 35 bottles of Vermilax at Scranton, Pa., alleging that the article had been shipped in interstate commerce in various shipments on or about May 27, May 29, and June 10, 1933, by the Biddle Purchasing Co., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of ground kamala and a small proportion of starch suspended in a mixture of water and alcohol.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle label and wrapper, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Bottle) "Vermilax supreme worm remedy * * * Removes all stomach and intestinal worms in half an hour", (wrapper) "Vermilax * * * Supreme worm remedy * * * removes tape worms, round worms and all other stomach and intestinal worms in dogs in half an hour."

On August 19, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21574. Misbranding of Vita Oil. U. S. v. 45 Small and 23 Large Packages of Vita Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30828. Sample nos. 31672-A, 31673-A.)

Examination of samples of the drug preparation Vita Oil disclosed that the article contained no ingredient or combination of ingredients capable of pro-